

**Report for:** Cabinet Member decision – 2 April 2019

**Item number:** N/A

**Title:** Applications by Festival Republic Ltd to hire Finsbury Park for Steel Yard, a multi-event weekend including the Community Festival and the Wireless Festival 2019

**Report**

**Authorised by:** Stephen McDonnell, Director – Environment and Neighbourhoods

**Lead Officer:** Zoe Robertson, Head of Commissioning & Client  
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**Ward(s) affected:** Harringay Ward

**Report for Key/**

**Non Key Decision:** Non Key Decision

**1. Describe the issue under consideration**

- 1.1 This report seeks a determination of three applications made by Festival Republic Ltd to hire Finsbury Park in order to stage (1) Steel Yard, a 2 day event in May 2019, (2) a multi-event weekend to include the Community Festival over 3 days in June 2019 and (3) the Wireless Festival, a 3 day event proposed for July 2019.
- 1.2 The applications are required to be determined pursuant to the Council's Outdoor Events Policy (the Policy), which was approved by Cabinet on 17<sup>th</sup> December 2013, and implemented on 7<sup>th</sup> January 2014.

**2. Cabinet Member Introduction**

Not applicable.

**3. Recommendations**

3.1 The Cabinet Member for Environment is recommended to:

- (a) Consider, and take account of, the comments received from recognised stakeholders of Finsbury Park in response to the event notifications being sent as part of the decision making process (attached as Appendix 2).
- (b) Authorise the Director – Environment and Neighbourhoods, to approve conditional in principle agreement to hire Finsbury Park to the event promoter for the events detailed in this report as set out in paragraph 6.4.

#### **4. Reasons for decision**

- 4.1 Under the terms of the Policy, applications of the type detailed in this report are required to be determined with the prior agreement of the Cabinet Member.
- 4.2 If authority is given, then officers will give in principle agreement to the applicant for the event applications to progress. The events will then be subject to lengthy discussions with relevant authorities, including licensing before final agreement is given.
- 4.3 The rejection of the applications would have implications for the Parks Service budget, and reduce the opportunity for reinvestment into Finsbury Park (the Park). It would also mean that the wider cultural and economic benefits to the borough were lost.

#### **5. Alternative options considered**

- 5.1 In adopting the Policy, the Council established its commitment to using the Park for a limited number of major events each year. Accordingly, the only other alternative option which could be considered would be to reject the application. That option was rejected, on the grounds that the events did not fall within any of the grounds set out in paragraph 5.3 of the Policy for automatic refusal.

#### **6. Background information**

- 6.1 In January 2014, the Council adopted the Policy to recognise the value and benefit that a varied, and well-managed, outdoor events programme can offer the residents of Haringey.
- 6.2 The Policy assists the decision making process behind building a sustainable and varied programme of events. It also seeks to protect the community and the parks and open space infrastructure and minimise or mitigate any negative impacts which events may cause.
- 6.3 Some of these restrictions as set out at paragraph 5.2.2 of the Policy specifically relate to the Park to ensure a balance of income generation and that of continued public use of the Park through the busiest summer months is achieved. These restrictions include, but are not limited to, the following:
- *“Major scale events [more than 10,000 attendance] will be ordinarily limited to 5 per year, save where there is demonstrable community support for additional events*
  - *Duration of major scale events will be of 1 – 3 days per event*
  - *No major scale events will take place during the school summer holidays”*
- 6.4 On 1<sup>st</sup> June 2018, the Council received applications from Festival Republic Ltd to hire the Park to stage Steel Yard on 25<sup>th</sup> and 26<sup>th</sup> May 2019, multi events including the Community Festival on 28<sup>th</sup>, 29<sup>th</sup> and 30<sup>th</sup> June 2019 and the Wireless Festival on 5<sup>th</sup>, 6<sup>th</sup> and 7<sup>th</sup> July 2019.

- 6.5 The Policy details the approval process for determining applications. Paragraph 5.2.3. of the Policy requires prior authority for the event to be given by the Cabinet Member as a non-key decision before officers give in principle agreement whenever the following criteria applies:
- *“Expected attendance is over 10,000”*
  - *“Event lasts more than 2 days with 5,000 or more in attendance”*
  - *“Organiser occupies a site for more than 14 days including setup and take down periods”.*
- 6.6 All of the criteria detailed above apply to these applications, and so hence this referral to the Cabinet Member.
- 6.7 Public events have been taking place in Finsbury Park since it first opened in 1869. In recent years, Finsbury Park has been the prime location for many international music acts, playing to large audiences within the open arena of the Park. This includes the first open-air symphony concert of the London Philharmonic Orchestra in 1948.
- 6.8 The Applicant has a long and successful history of organising events in the Park since the first Fleadh in 1990. Since then major international artists including Neil Young (1993), Pulp (1998), Oasis (2002) and Liam Gallagher (2018) have played for sell-out audiences.
- 6.9 The Wireless Festival has taken place in the Park every year since 2014. In that time over 585,000 people have enjoyed the event.
- 6.10 It is standard commercial practice that once a park hire application has been submitted by the Applicant and initially accepted by the Council, tickets go on sale subject to Cabinet Member approval or contract being in place. The promoter does this at their own risk.
- 6.11 Headliner acts for the three-day Wireless Festival were announced on 28 January 2019, and within two hours, 135,000 tickets were sold out.
- 6.12 If agreed, 2019 will be the fourth year that the one-day Community Festival will take place. As detailed above the Applicant has applied for this to be included as part of a three-day weekend of three separate events, including two single artist headliners playing on Friday 28<sup>th</sup> and Saturday 29<sup>th</sup> June 2019. At the time of writing this report, artists for these two days, have yet to be confirmed.
- 6.13 If agreed, 2019 will be the second year that the Steel Yard event will take place in the Park. However, prior to coming to the Park, the event has been successfully run for 2 years in multiple locations, and is a worldwide brand promoted by Creamfields.
- 6.14 Festival Republic allocate a number of tickets for residents living in the immediate vicinity of Finsbury Park. These are available through a postcode lottery. In 2018, 40% of these tickets were applied for by Haringey residents and 60% by Hackney residents.

- 6.15 Due consideration as to the effects these events could have on the Park, park users and local residents has been given, with detailed plans in place to ensure public access is maintained to the Park and all council managed facilities, whilst ensuring the events provide increased recreational enjoyment within the Park environment.
- 6.16 The Applicant has applied to hire the space known as the bandstand field to facilitate the main event area for all three events.
- 6.17 The bandstand field is a green expanse of grass, which slopes gently down to the southern boundary of the park, creating a natural amphitheatre. This main field is encompassed by the internal park carriageway. Part of the carriageway was re-surfaced to motorway standards during the Heritage Lottery Funded restoration of Finsbury Park in 2004 to facilitate heavy, articulated vehicles and provides easy access to the areas to build the event infrastructure, with minimal need for crossing grass.
- 6.18 The area for the June/July weekends applied for use by the Applicant, in addition to the bandstand field will utilise the grass area to the north and south of the tennis courts and the strip of grass running along the southern perimeter of the Park, along Seven Sisters Road, between Finsbury Gate and Manor House. This is to accommodate attendee and staffing numbers of up to 49,999 as specified under the Live Nation Premises Licence conditions.
- 6.19 The Applicant has approached the Finsbury Park Sports Partnership with a view to hiring the tennis courts in the park, over the two consecutive major event weekends in June and July, to facilitate the placement of toilets. A decision on this has yet to be determined, but if it happens the courts are likely to be closed only on event days, plus the day after to allow cleaning to take place.
- 6.20 The total area used for these two weekends of events equates to 27% of the Park (29% if the tennis courts are included). The remaining 73/71% of the Park remains open to the public at all times.
- 6.21 The area used for the Steel Yard event in May will be smaller due to the lower attendance and the nature of the event. Attendance for this event is expected to be 20,000 on the Saturday, and 15,000 on the Sunday. This is approximately 11% of the total area, leaving nearly 90% of the park open and accessible, including the tennis courts.
- 6.22 The areas used for quieter, informal recreational activity including all formally laid out horticultural spaces such as the Mackenzie and American Gardens in the northern section of the Park remain open and accessible to the general public while all major events take place.
- 6.23 Data collected from people counters installed on the gates into Finsbury Park between 18<sup>th</sup> July and 11<sup>th</sup> September 2016 show that on average nearly 8,000 daily park visits were made. This is one of the Parks busiest times falling during the school summer holidays. No major events are allowed to take place during this time, as set out in the Policy at 5.2.2.

- 6.24 Many of these visits continue while the major events take place, by ensuring that all public facilities managed by the council, including the ball courts, play areas, cafes and lake, remain open.
- 6.25 It is a condition of hire that way-finding signage is put in place by the Applicant before, during the build and break, and on event days to inform people that facilities remain accessible to the public and thoroughfares used by park users remain open. Work is ongoing each year to improve on previous way-finding signage, improving the park user experience while event infrastructure is on site.
- 6.26 During the build and break for events all main thoroughfares are kept open to park users, except a section of carriageway running between Finsbury and Hornsey Wood Tavern Gates, as this is where the production area for the event is located. Trackway is placed on the grass here, in parallel to the carriageway, providing an accessible pathway.
- 6.27 The carriageway between Finsbury and Oxford Road Gates, and a pathway from Hornsey Wood Tavern Gate through to the central play area are then closed on event days and the immediate day which follows, to allow the site to be cleared and made safe for the public.
- 6.28 During the period that these two thoroughfares are closed to the public, alternative routes are made available and publicised to ensure access by regular park users is maintained.
- 6.29 The build and break for the events is carried out in phases, ensuring that as much of the event space as possible is kept open for as long as possible for public access.
- 6.30 A zonal plan of the site is developed by the Applicant, and agreed by Officers, showing when each part of the space is due to be closed to public access and then re-opened. This is dependent on build requirements and with the utmost consideration of health and safety.
- 6.31 For the rest days in-between the two consecutive event weekends when the site is not being used for events, the Applicant is committed to re-opening as much of the event space as possible for public use. This is only done after assessing health and safety requirements.
- 6.32 In 2018 'Haringey Goes Wild', a music extravaganza celebrating the musical talent of Haringey's young people, was staged on the smaller stage within the event area in the week between the two major event weekends. It is hoped that this will be staged again in 2019, but incorporating young musicians from both Hackney and Islington.
- 6.33 Security personnel are stationed by play and sports facilities closest to the event area to ensure public access is maintained, and that those attending the major events are signposted to access the main entrance into the event.
- 6.34 All efforts to accommodate the continued use by park user groups during the times of the major events, will be made either by finding alternative areas within

the park for them to use, or by offering the use of other park sites for their organised activities.

- 6.35 The Live Nation Premises Licence which regulates the multi-weekend events in June and Wireless Festival in July requires that all music ceases at 9.30pm on Sunday in consideration of the start of the working week. On Friday and Saturday, the music stops at 10.30pm.
- 6.36 The Festival Republic Premises Licence which regulates the Steel Yard event in May requires that all music ceases at 10.00pm on Sunday, and 10.30pm on Saturday.
- 6.37 It is accepted that due to the high footfall experienced during events, some short-term damage to the grass will take place. A full 6-8 week restoration programme will take place following the event season to ensure the re-establishment of the grass in these areas.
- 6.38 As part of the approval process, the Policy stipulates the need for consultation on the applications to take place. Paragraph 5.1.6. of the Policy states, *“Consultation will involve all stakeholders, including Friends Groups, Area Parks Managers, Ward Councillors, Cabinet Member for Environment and the members of the Haringey Safety Advisory Group. Other consultees may be added where appropriate to the specific park or open space”*.
- 6.39 In discharging the requirement to consult, officers sent details of the applications to 36 external stakeholder groups by e-mail dated 17 December 2018. Details of the list of consultees appears at Appendix 1 to the report. Stakeholders including local resident associations, Hackney and Islington council officers, park user groups and leaseholders; councillors from 6 adjoining wards including those in Hackney and Islington; internal council stakeholders including licensing and emergency planning; and statutory bodies including the Metropolitan Police and London Fire Brigade were given 21 working days to respond.
- 6.40 Of the list of consultees, only those highlighted in green at Appendix 1 provided a total of 3 responses broken down as follows:
- (a) 1 response was received from a residents’ association: Highbury Community Association
  - (b) 1 response was received from Islington Council
  - (c) 1 response was received from Try Tag Rugby
- 6.41 The comments are set out at Appendix 2. However, they can be summarised in the main as being concerns around number and duration of events; the effect on neighbouring boroughs; event area / set up and take down / disruption; environmental damage; ASB; noise; rubbish.
- 6.42 Officer responses to the comments are as follows:

### **Islington Council**



Both Haringey Council officers involved with the planning of major events, and Festival Republic are liaising directly with Islington Council officers in relation to on-going improvements around the events proposed.

At the end of 2018, the Friends of Finsbury Park applied for a Review of the Live Nation Premises Licence, specifically relating to Wireless 2017, which was heard by the Licensing Sub Committee on 15<sup>th</sup> and 16<sup>th</sup> October 2018.

In response to the Review, Live Nation proposed a number of amendments to the Licence that would specifically benefit residents in Islington and address some of their concerns raised, including noise monitoring and stewarding within the Islington side streets. These include:

- new noise monitoring point to be introduced in Islington;
- introduction of a new low frequency noise level;
- SIA approved stewards to be placed within Islington roads.

These conditions were approved and agreed by Live Nation and the Licensing Sub Committee and were not contested by Live Nation as part of their reasons for appeal. These are now included in the amended Premises Licence held by Live Nation and will be monitored by the Safety Advisory Group in preparation and during the events.

The times of the ingress and egress into the event, would be different to times of ingress and egress into a football match being played at the Emirates stadium. In the past matches have taken place at the same time as events taking place in Finsbury Park and there has been very little impact on the local community and infrastructure. If a football match was to take place at the Emirates on a major event day then this would be subject to further discussion by the Safety Advisory Group overseeing the Licencing conditions and relevant action would be decided. TfL Underground and Surface (road) Transport Planning always have oversight on these matters and attend the Safety Advisory Group for both the Emirates and Finsbury Park events.

In regard to the item raised regarding proposed works taking place at Kings Cross during 2019, TfL and Network Rail representatives are aware of the proposed event dates, and representatives are part of the Safety Advisory Group, which oversees the event planning. They do not currently foresee any works to the public transport network taking place that could impact the event ingress and egress.

### **Highbury Community Association**

As regards to the number of events taking place in the park / the loss of Park space, the Policy allows for up to five major events (10,000 or more attendees) to take place in the Park in any one year, for a duration of between 1-3 days at a time. This number will not be exceeded. Further, see paragraphs 6.19 – 6.21 above which comments on the footprint which will be taken up by the events, and the areas which will remain open and available to the public whilst the events are taking place. For those reasons, officers consider that to be proportionate balance between competing user demands.

As regards concerns over ASB, and the resources available to deal with the issue should it arise, there is a clear commitment from the Applicant that this stewarding will be a primary focus. The Applicant trialled a new security and stewarding plan in 2018 which saw security numbers increase from having approximately four stewards based on each of the Hackney side roads, to having over 80 members of security staff to cover the operation on the two, three-day weekends. This worked well and the Applicant is committed to providing the same level of cover for 2019. The Applicant is also willing to extend the extra security measures into Islington streets for 2019. Details of streets covered and resource will be determined through discussions at the Safety Advisory Group and between the Applicant and both Hackney and Islington Councils.

Security will be provided by a specialist, high-end security management company who are known for providing exceptional standards of specialised security, whilst providing high quality customer service.

As well as having static security personnel based at each junction off Seven Sisters Road, there will be roaming personnel patrolling each of the roads, plus a response team on hand.

The team will fit into the Applicants existing command and control structure. An Offsite Manager will be engaged to oversee the whole operation within the side streets and to report back directly to the Security Co-coordinator based in Event Control.

As well as providing a residents' phone line for those wanting to report event related issues, residents in the side streets off Seven Sisters Road will be provided with a dedicated phone number to call if issues occur.

As regards concerns over noise disruption, the Council is committed to working with event organisers to reduce the effects of noise from events on residents, and will continue to work with its own consultants, noise officers and all event organisers to improve the management of noise levels.

Residents have raised concerns with the vibrations and shaking of buildings which we believe is due to low-level noise frequencies. The Live Nation Premises Licence which regulates the multi-weekend events in June and Wireless Festival in July was reviewed and the outcome of that has resulted in a reduction in noise, and monitoring of low frequency levels.

As regards the concern over events taking place during exam time, this issue is addressed in more detail in the Equalities Impact Assessment (Appendix 3). However, all libraries in Haringey will remain open during the event period, allowing young people and adults an alternative quiet space to study or work.

As regards the damaged caused to the park, see paragraph 6.37 above in relation to the proposed post event restoration plan. In addition, Applicants are required to pay a refundable grounds deposit before moving onto site, to ensure any damaged caused during their hire of the site is rectified and paid for by them, at no cost to the Council.



The amount of deposit is determined by the type and size of the event, and is set out and agreed through the Council's process of setting its annual fees and charges. For a major, commercial event taking place in Finsbury Park this has been set at £15,000. This would only be refunded after any associated costs / damages have been paid. If costs / damages incurred come to more than the deposit amount, the event organiser is obliged through the park hire agreement to pay all outstanding costs.

As regards to the loss of the Green Flag being testament partly to the negative impact from the major events, the Council doesn't believe this to be the case and nowhere in the Green Flag mystery shop reports provided by Keep Britain Tidy, is this evidenced.

As regards the Principle of why events such as these should not take place in the Park, the fact remains that the Council has approved a policy to regulate such activity, and every effort is made to ensure that hirers fully comply with their obligations under that policy.

### **Tri Tag Rugby**

As regards the damage to the pitch used by Tri Tag Rugby, this area is not a designated space for this kind of sports activity. Although the Council allow Try Tag Rugby to use this space it is on the understanding that it is not an area managed to hire pitch standards. Alternative space within the borough is arranged for Try Tag Rugby to use when the events are taking place.

- 6.43 In order to further assist the Cabinet Member, details of the overall picture in relation to other applications to stage events which require Cabinet Member Approval in 2019 are as follows.
- 6.44 Five hire applications were received in 2018 from event organisers wanting to host large or major event music festivals in the Park between May and September 2019. Three of these events have a capacity of 20,000 attendees or less and two events, including Wireless, have a capacity of circa 45,000 attendees. A further application for Manning's funfair has also been received which will require Cabinet Member approval to proceed.
- 6.45 To date one application has been withdrawn by Slammin' Events for their June event.
- 6.46 Five applications for Finsbury Park are now at a stage where Cabinet Member approval is to be sought in principle to allow the park hire applications to progress. These are:

<b>Event</b>	<b>Event Dates</b>	<b>Duration</b>	<b>First build date</b>	<b>Last break date</b>	<b>Capacity</b>	<b>Event Classification</b>	<b>Event Area % of Park</b>
Manning's Easter Fair	Saturday 6 – Tuesday 23 April	18 days	2 April	24 April	1.5k daily	Medium	4%
Steel Yard	Saturday 25 & Sunday 26 May	2 days	13 May	1 June	20k Sat 15k Sun	Major	11%
Community	Friday 28,	3 days	19 June		45k	Major	27% (29%)



- safeguard and strengthen the borough's cultural heritage by effectively managing, investing in and encouraging access to our heritage assets, museums and libraries;
- protect and promote creative and cultural activity and infrastructure that enables people to gain skills and employment in creative industries and increase investment into the borough;
- support cultural organisations to attract more people to their offer so that there are more opportunities for everyone to connect to the arts and culture in the borough;
- celebrate what is distinctive about Haringey so that our residents are inspired to take part in the great culture on their doorstep and attract visitors from across London and beyond to join us.

## **8. The Open Spaces Act 1906**

8.1 The income generated from these events is for the benefit of the Park itself, and is fundamental to keeping it open as a viable facility.

8.2 All income generated through events specifically held in the Park, will be spent in the Park as required under the Open Spaces Act 1906 (the Act). In the first instance, this will assist with all management and maintenance costs associated with running the Park. Any surplus event income derived will be used to make improvements to the Park's infrastructure as set out in the Outdoor Events Policy at 8.2.5.

8.3 The above said, the Cabinet Member is made aware of the fact that the Council does have a statutory duty under the Act as trustee to hold the land comprising the Park on trust for the public. As such, in coming to a view on the Recommendations contained in the report, account has to be taken of the existence and impact of all material circumstances which arise from a decision to grant in principle approval for the events to take place prior to the Cabinet Member coming to a settled view.

8.4 Officers have set out the concerns from objectors and how they can be overcome, at the sub paragraphs under 6.42 above. Officer responses to the concerns raised recognise that a large proportion of the Park will remain open whilst the events take place, and that the event days take up no more than 27% (29% if tennis courts are included) of the Park for 2% of the year / 12% of the year, including build and break days. These responses also take into consideration the outcome of the EqlA. As previously mentioned in 6.29 the build and break for events is done in a phased approach, which enables the Applicant to keep as much of the event site open to park users, for as long as possible.

## **9. Statutory Officers comments (Chief Finance Officer (including procurement), Assistant Director of Corporate Governance, Equalities)**

### **9.1 Chief Finance Officer (including procurement)**

This information is exempt and is attached as Part B of this report.

### **9.2 Legal**

- 9.2.1 The Assistant Director, Corporate Governance has been consulted in the preparation of this report, and makes the following comments.
- 9.2.2 The law which governs the Council's powers to hire the Park in these circumstances was challenged in the High Court on an application for judicial review brought by the Friends of Finsbury Park (the Friends) against the decision to permit the application to stage Wireless 2016 in the Park.
- 9.2.3 The case was heard on 8<sup>th</sup> and 9<sup>th</sup> June 2016, and the judge delivered his judgment on 22<sup>nd</sup> June 2016. In summary, the judge ruled that the provisions of section 44 of the Public Health Amendment Act 1890; The Ministry of Housing and Local Government Provisional Order Confirmation (Greater London Parks and Open Spaces) Act 1967 and section 145 of the Local Government Act 1972 – all of which govern the ability to permit entertainment in open spaces such as the Park – *“creates different powers for different places subject to different limitations”*. Accordingly, the judge went on to rule that *“s145 of the 1972 Act, of itself and standing alone, provides the Council with the necessary power to permit Wireless 2016 to take place in the Park”*.
- 9.2.4 The significance of that ruling, was that the restriction placed on the amount of the Park which could be enclosed or set apart to facilitate the event, and the duration for such enclosure as prescribed under the 1890 and 1967 Acts – *“one acre or one tenth of the [Park] whichever is greater” / “12 days in any one year, nor four [six in London] consecutive days on any one occasion”* – simply did not apply.
- 9.2.5 Having been refused permission to appeal by the judge, the Friends made an application to the Court of Appeal. On 19<sup>th</sup> December 2016, the Court of Appeal granted the Friends of Finsbury Park permission to appeal on the ‘legal powers issue’. The basis for the decision was because the issue *“raises a point of considerable importance for London local authorities and ought to be considered by the Court of Appeal.”*
- 9.2.6 The Court of Appeal also granted an application made by the Open Spaces Society for it to be heard in the appeal, on the grounds *that “The issue in the appeal is of importance to London open spaces and parks”*.
- 9.2.7 The appeal was heard on 2<sup>nd</sup> November 2017, and the judgment was delivered on 16<sup>th</sup> November 2017. All three judges dismissed the appeal, in ruling that the High Court judge had correctly identified what the legal power position was.
- 9.2.8 Having been refused permission to appeal, the Friends filed an application with the Supreme Court on 14<sup>th</sup> December 2017. Officers filed notice of objection to the application, and on the 26<sup>th</sup> June 2018 the Supreme Court dismissed the application on the grounds that it *“does not raise an arguable point of law”*.

### The Current Applications

- 9.2.9 During the course of the hearing in the Court of Appeal, the Friends and the Open Spaces Society introduced new representations not made in the High

Court, concerning the fact that the Council holds the Park on trust for the enjoyment by the public as an open space pursuant to section 10 of the Open Spaces Act 1906 (the 1906 Act).

9.2.10 The Council conceded that the 1906 Act did apply. Accordingly, in coming to a view on the Recommendations contained in this report, the Cabinet Member is required to consider whether in light of the duty held under the 1906 Act, it would still be reasonable to exercise the power under section 145 of the Local Government Act 1972, to close off part of the Park to facilitate the Wireless and associated events applied for. In so saying, the attendance at music and dance events is itself recreational, and therefore within the statutory trust.

9.2.11 Any decision reached by the Cabinet Member is required to be one which is balanced, rational and in the interests of all park users in terms of an overall assessment of the benefits and detriments of public recreation in relation to different sections or user groups within the community. The analysis of the objections to the events, the comments made by officers on those objections, and the outcome of the EqlA are key to aiding the Cabinet Member in the decision making process.

### **9.3 Equality**

9.3.1 The Council has a public sector equality duty under the Equality Act (2010) to have due regard to:

- eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act;
- advance equality of opportunity between people who share those protected characteristics and people who do not;
- foster good relations between people who share those characteristics and people who do not;
- the three parts of the duty applies to the following protected characteristics: age, disability, gender reassignment, pregnancy/maternity, race, religion/faith, sex and sexual orientation. Marriage and civil partnership status apply to the first part of the duty.

9.3.2 An equality impact assessment was completed to accompany the decision in December 2013 to adopt Haringey's Outdoor Events Policy, which governs the assessment of event applications to Finsbury Park. The policy does not permit events where the sole purpose is as a religious act of worship. The impact assessment acknowledged that this restriction could have the effect of discouraging religious or belief organisations from using the park for major worship based events. However, it reasoned that this restriction could be justified because such religious/belief based events by their very nature could exclude others who don't share that religion/belief from attending the event or using the park more generally.

9.3.3 The Council's Events Policy ensures that event providers operate in accordance with the Equality Act and do not discriminate against groups who share a protected characteristic.

9.3.4 The Policy aims to strike a balance between ensuring that the parks, such as Finsbury Park, can be used as a community asset for all groups to access for

the majority of the year, against the need to generate income from hosting major events and for these to contribute to the borough's cultural and leisure offer.

- 9.3.5 An equality impact assessment has been completed to accompany the Festival Republic Events application and can be found in Appendix 3. The assessment explores impact on residents in the immediate wards surrounding Finsbury Park: Stroud Green (LB Haringey), Harringay (LB Haringey), Brownswood (LB Hackney), Finsbury Park (LB Islington) as well as groups who shared protected characteristics.
- 9.3.6 The assessment identifies that children, women with children and people with disabilities will be, to a limited extent, impacted negatively by the proposal, as they are more likely to use the park. However, this needs to be balanced against the identified benefits for the community, improving equality of opportunities and fostering good relations. The Council is taking a number of actions to mitigate the negative impact on specific groups with protected characteristics arising from the events.
- 9.3.7 The council is committed to working with event organisers to reduce the effects of noise from events on all residents living near the park and will enforce the individual conditions that accompany the event's permission including those related to reducing disruption, number of days (including set up) and maximum event space.

## **10. Use of Appendices**

- 10.1 Appendix 1 – List of Finsbury Park stakeholders who were consulted
- 10.2 Appendix 2 – Finsbury Park stakeholders' full responses to large / major park hire applications
- 10.3 Appendix 3 – Equality Impact Assessment: Applications by Festival Republic Ltd to hire Finsbury Park for Steel Yard, a multi-event weekend including the Community Festival and the Wireless Festival 2019
- 10.4 Part B – Not for publication by virtue of paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972

## **11. Local Government (Access to Information) Act 1985**

- 10.1 Haringey Outdoor Events Policy -  
<http://www.minutes.haringey.gov.uk/documents/s48887/OEP%20-%20CLEARED%20COVERING%20REPORT.pdf>